

Approved: \_\_\_\_\_



CAMILLE L. FLETCHER  
Assistant United States Attorneys

Before: THE HONORABLE ONA T. WANG  
United States Magistrate Judge  
Southern District of New York

- - - - -	X	
	:	<b><u>SEALED COMPLAINT</u></b>
UNITED STATES OF AMERICA	:	
- v. -	:	Violations of 18 U.S.C.
	:	§§ 875(c), 2261A(2) (A),
ADAM JUSTIN BANFILL,	:	2261A(2) (B) and 2.
	:	COUNTY OF OFFENSE:
	:	NEW YORK
Defendant.	:	
- - - - -	X	

SOUTHERN DISTRICT OF NEW YORK, ss.:

JAMES WALSH, being duly sworn, deposes and says that he is a Detective with the New York City Police Department ("NYPD"), and charges as follows:

**COUNT ONE**

**(Threatening Interstate Communications)**

1. From at least on or about June 8, 2020, through in or about the present, in the Southern District of New York and elsewhere, ADAM JUSTIN BANFILL, the defendant, knowingly transmitted in interstate and foreign commerce communications containing threats to injure the person of another, to wit, BANFILL sent to a cable news contributor (the "Broadcaster") a series of violent, threatening, harassing, and intimidating messages—including messages in which BANFILL threatened to kill the Broadcaster and the Broadcaster's relative—via the "Contact" form portal on the Broadcaster's website.

(Title 18, United States Code, Sections 875(c) and 2.)

**COUNT TWO**

**(Stalking)**

2. From at least in or about June 8, 2020 through in or about the present, in the Southern District of New York and elsewhere, ADAM JUSTIN BANFILL, the defendant, knowingly and with the intent to kill, injure, harass, intimidate, and place under surveillance with intent to kill, injure, harass, and intimidate another person, used the mail, interactive computer services and electronic communication services and electronic communication systems of interstate commerce, and other facilities of interstate and foreign commerce to engage in a course of conduct that (a) placed that person in reasonable fear of the death of and serious bodily injury to that person, and (b) caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to that person, to wit, BANFILL sent to the Broadcaster a series of violent, threatening, harassing, and intimidating messages—including messages in which BANFILL threatened to kill the Broadcaster and the Broadcaster's relative—via the "Contact" form portal on the Broadcaster's website.

(Title 18, United States Code, Sections 2261A(2) (A),  
2261A(2) (B), and 2.)

The bases for my knowledge and the foregoing charges are, in part, as follows:

3. I am a Detective with the NYPD's Intelligence Bureau, Leads Investigation Unit, and I have been personally involved in the investigation of this matter. This affidavit is based in part upon my conversations with law enforcement agents and other people, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

4. Based on conversations with the Broadcaster I know that the Broadcaster is an on-air television personality who works for a cable news network located in New York, New York.

5. Based on my participation in this investigation, including my review of documents from internet providers, conversations with the Broadcaster, as well as my training and experience, I have learned the following, in substance and in part,

that a person who, as described further below, I have identified as ADAM JUSTIN BANFILL, the defendant, sent more than 1,100 violent, threatening, harassing, and intimidating messages to the Broadcaster via the "Contact" form portal on the Broadcaster's website. Along with the text of each message, BANFILL filled in a field on the "Contact" form portal asking for a contact email address in which he listed a certain Gmail address (the "BANFILL Email Account"). He also filled in a field on the "Contact" form portal asking for a name in which he listed "Adam Justin Banfill." Each message sent by BANFILL via the "Contact" form portal on the Broadcaster's website was automatically routed to the Broadcaster's personal email account. Those messages included, but were not limited to, the following messages:

a. On or about June 8, 2020, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: Q n A

Message: Question to me (circa 2012), " If you could tell your future wife something in a message, what would it be"? Answer from me, " I love you. I love you. I love you. I love you. I love you. I love you. I love you. I love you. I love you..."

b. On or about June 26, 2020, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: I will

Message: I'll go to New York. Not sure about the details, but I will.

c. On or about July 5, 2020, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: Driving

Message: Wew! Theres nothing like driving for a cumulative 10 hours when on vacation to help one relax.

d. As described in further detail below, I have learned that BANFILL lives in Grand Rapids, Michigan, which based on maps, is an approximately 10-hour drive from New York, New York.

e. On or about July 31, 2020, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: Good news!

Message: I'll see you in August. Bad news- You must put something where it doesnt belong again.

f. On or about December 19, 2020, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: I dont fuck w bums

Message: Why would I do anything with a woman who is average or below-average? I could do anything with basically any woman I wanted to. I don't fuk with bums.

g. On or about January 4, 2021, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: Sis

Message: Is [Broadcaster's Relative] seeing anyone???!!!!!! Hmmmmmmmm. Pretty pretty face. Nevermind. It doesn't matter. I'm going to smash it anyway... We've been chatting. She's very nice.

h. On or about January 7, 2021, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: The enemy of the people of the United States of America-

Message: And I have given everything I have and everything I could have over and over again for this country, it's people. For her citizens. While you have taken from me over and over and over. I can say whatever the fuck I want to. I don't fucking care about what you think. You don't scare me, you fucking bitches. I cannot fix what you have done. I cannot fix it, I begged you not to do this. I begged you. Prepare yourself as an adult. The Lord has come to inquire.

i. On or about January 11, 2021, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: I saw the sign, Ace

Message: In a way, you have stolen from me for a long time- your rhythm and pulse will belong to me, but maybe briefly. I would say 'haha' like a smug brother. I am saying that, 'haha [Broadcaster]'. You can't joke or weasel your way out of this one. You are mine. This one is not a mind trick, I promise you! Luv ya sis, (Mom raised you better

[Broadcaster], all joking aside. You know what I mean- I don't have to enumerate it). - your brother, sometimes very agitated, Adam

j. On or about January 21, 2021, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: Prepping  
Message: [Broadcaster], Prepare yourself for the worst. It's time. I don't know how to tell you. What did I tell you so many times? Focus on Jesus. I'm sorry [Broadcaster]. It's not my fault. I'm sorry.

k. On or about February 7, 2021, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: Ayyyyyyyyyyyyyyyyyyyyyy!  
Message: You are one of the most disgusting fucking people I've ever encountered in my life. Which is why I was forced to interact with you. You and the people interactive in your culture are deeply repugnant to my innermost values. you cannot love something that you cannot define but since you're a fucking retard you are well accepted in your culture and by the stupid fucking media trash that treat you so well. I'd give you a heads up, but since I already have over and over again I'll only say, the Bell, it tolls for thee. - "what is Truth?"...

l. On or about February 21, 2021, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: Hello-llo-llo-llo-llo-llo-llo-llo..  
Message: Ram your cock down my throat [Broadcaster]!!!!!! Don't get scared now!!!!!!!

m. On or about February 27, 2021, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: You  
Message: I could have had the meat peeled from your fucking Bones by now. Relax. Or not.now you have two unbelievable men to deal with instead of one. How funny is that? -Adam

n. On or about March 2, 2021, BANFILL' wrote to the Broadcaster, in substance and in part:

Subject: If I wanted

Message: I would blow through you like you're a fucking rag doll. I'm going to keep playing your game for now. I could turn the fucking planet upside down [Broadcaster]. For now I'm going to keep playing your game. I've shown you what horrendous fucking fire looks like. Keep laughing lady if you want to. Adam Goodnight, -Adam

o. On or about March 26, 2021, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: Abort mission

Message: We're taking you out [Broadcaster]. There has been too much loss of life and chaos. Take it easy and slow. We care for you and will fix this. Let us help you. It's over baby. T.t.y soon Love, -Adam

p. On or about April 1, 2021, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: Come clean

Message: When you are not being true to your own heart, and you are trying to live a functional life, but things will not work out. I understand your conflict of interest [Broadcaster]. But you are stealing from me. I can't go on the rest of my life being partially strangled by you. Let it go. Clear your conscience. Mr. Trump bugs me about you every day! It hurts because I care about you. Fight it as hard as I can. I can't do it anymore. You don't get to choose who your heart belongs to. Ok. Life isn't fair. I do love you. Now I'm free. Even though functionally not sure what that means. Don't be cruel. Don't be unfair. Don't go on strangling me. You know we will both pay for it. Please be honest [Broadcaster]. You got your laughs in. Your jabs. Whatever. I don't care. Be nice baby. And have a lovely weekend. Truly yours, -Adam

q. On or about April 1, 2021, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: Don't you see?

Message: The more you fight the more you become something that you are not or that you hate. . . . And how do you make the most special man in the world jealous with rage? By maybe banging somebody else until he goes out of his mind? look at the pictures when you're on stage . . . [Broadcaster]. . . . And you can go on denying and deceiving your own heart and being brutal with your own soul. But you're ripping my family to pieces [Broadcaster]. You won't let me sleep with my wife and I can barely see my own baby. I know you're upset you have a conflict of feeling and that you're scared or you feel like I left you. I had no choice-many people have been freed. It's not my fault. . . . I'm done fighting. And now, if you keep tormenting me, you will pay a heavy price. I love you. Stop fighting. Not everything in life makes perfect sense. I don't know how to fix it. . . . You are killing yourself. Stop fighting [Broadcaster]. . . . Don't brutalize yourself baby. You're hurting me too. It's been a long journey. I'm so, so, so sorry for all of this. Time to pick up the pieces, one by one I guess. I love you. I do love you. Please don't hurt yourself. I thought it was you making me insane. I was killing myself. Even if you lose everything, and everyone turns their back on you, I will love you the best I can. Rest [Broadcaster]. Even sometimes the kind things from him or others are from me really. I wouldn't have asked you to wait all these years. But I'm your biggest fan. Just rest. Pray. Be nice and kind. Relax Katherine. Like rush said, "if you choose not to decide you have still made a choice". Rest. Relax. Safety. Don't worry. I'm not the bad guy here. Neither are you.

r. On or about April 2, 2021, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: You were picked to save your life

Message: And you thought I was funny and a week foolish ridiculous man. And you thought it was okay. Truth is, if you hadn't been picked to torment me you'd be dead in the ground rotting right now. Because I would have prayed for you I would have prayed to bless you and I would have prayed for

your repentance. So, whatever. You were foolish and are blessed with life because of it. 'life's not fair, life's just life' -Scott Ian, Euphoria

s. On or about May 15, 2021, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: Please be careful.

Message: You'll understand soon why you're so important to me. I love you. Stay close to your husband, and don't let anything harm you, -Adam

t. On or about May 21, 2021, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: Careful

Message: People are going to start getting hysterical about you. Be very careful what you say you have a lot of influence.

u. On or about May 27, 2021, BANFILL wrote to the Broadcaster, in substance and in part:

Subject: Listen [Broadcaster]

Message: You're getting out very soon. You have to start being more careful and looking after yourself and being aware of your surroundings. You're going to be responsible for yourself [Broadcaster]. I know it's been a long time. I've got a court appearance tomorrow and then apparently the same for me. Be very careful please. I've been waiting to meet you a long time. I guess I'll be on the news soon too. So, that's something. Love, -Adam

6. Based on conversations with the Broadcaster, I know that the Broadcaster was in New York, New York at the Broadcaster's place of employment when the Broadcaster received and/or reviewed each of the above emails.

7. Based on my review of subscriber and other information for the BANFILL Gmail Account, I know that the email address for the BANFILL Gmail Account contains the names "Adam" and "Banfill," and that the subscriber of the BANFILL Gmail Account is reported as "Adam Banfill," with a particular date of birth (the "BANFILL DOB"), an address in Grand Rapids, Michigan, and a particular phone number (the "BANFILL Phone").



8. Based on my review of a missing person report filed with the Grand Rapids Police Department and associated police paperwork, I know that on May 15, 2021, an individual who identified herself as the purported wife (the "Wife") of Adam Banfill, reported Banfill missing. The Wife provided Banfill's date of birth as the BANFILL DOB, Banfill's cellphone number as the BANFILL Phone, and an address in Grand Rapids, Michigan. A few hours after the missing person report was filed, Grand Rapids Police Department discovered that Adam Banfill, the alleged missing person, was not missing, but was in Grand Rapids Police Department custody after a May 15, 2021 arrest for assault and battery ("May 15 Arrest").

9. Based on my review of documents from internet providers and conversations with the Broadcaster, I know that on or about May 15, 2021, ADAM JUSTIN BANFILL, the defendant, sent the following message to the Broadcaster via the "Contact" form portal on the Broadcaster's website. This message, like the others, was automatically routed to the Broadcaster's personal email account. BANFILL wrote to the Broadcaster, in substance and in part:

Subject: Hi

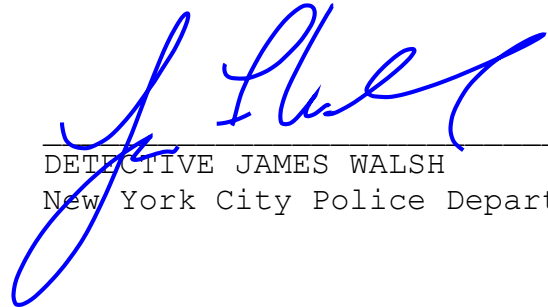
Message: Got arrested last night I was so fucking blasted I woke up I lost my bike I started walking down the street and the police arrested me for battery.

10. I also reviewed the photograph included in the Grand Rapids Police Department report for the May 15 Arrest and a profile photograph associated with the Banfill Gmail Account, and the individuals pictured in both photographs appear to be the same person, namely, ADAM JUSTIN BANFILL, the defendant.

11. Based on the foregoing I believe that ADAM JUSTIN BANFILL, the defendant, is the user of the BANFILL Gmail Account and that BANFILL is the sender of the messages described above.

12. Based on conversations with the Broadcaster, I know that the messages that ADAM JUSTIN BANFILL, the defendant, sent to the Broadcaster have caused the Broadcaster great emotional distress and that the Broadcaster fears that BANFILL will kill the Broadcaster and harm the Broadcaster's family.

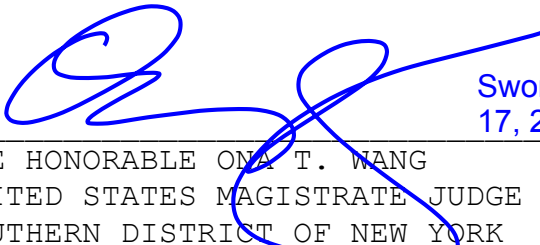
WHEREFORE, your deponent respectfully requests that a warrant be issued for the arrest of ADAM JUSTIN BANFILL, the defendant, and that he be arrested and imprisoned, or bailed, as the case may be.



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DETECTIVE JAMES WALSH  
New York City Police Department

Sworn to me through the  
transmission of this Affidavit  
by reliable electronic means, pursuant to  
Federal Rule of Criminal Procedure 4.1,  
17th day of June, 2021



Sworn to before me in person / June  
17, 2021

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THE HONORABLE ONA T. WANG  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK